

REMARKS

Applicants appreciate the thorough and detailed examination of the present application as evidenced by the Office Action. Applicants further appreciate the Office Action's indication that Claims 1-4 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph.

Claims 1-4 are currently pending. Claims 1-3 are amended herein to clarify the recitations of the pending claims.

Claim 1 is amended herein to correct the inadvertent error in Formula (I). Formula (I) now includes bonds between the phosphorous atom on the left and the two adjacent oxygen atoms. As the specification refers to benzene-substituted phosphorous derivatives (see, e.g., Example 1, page 6), Applicants submit that one of ordinary skill in the art would have appreciated that bonds were inadvertently omitted from this formula. As such, Applicants submit that the amendment to Claim 1 is fully supported by the specification as originally filed, and thus, no new matter is introduced by this amendment.

Claim 1 is also amended herein to change the recitation of "an integer between 1 and 3" to "1, 2 or 3." Applicants submit that the specification as originally filed supports this recitation as Examples 1-3 evidence that the phrase "an integer between 1 and 3" is inclusive of 1, 2 and 3. Each of these examples uses a benzene-substituted phosphate derivative wherein n is 1. As such, Applicants submit that one of ordinary skill in the art would understand that the benzene-substituted phosphate derivatives recited in Claim 1 encompass those compounds wherein n is 1, indicating an inclusive set of integers. Therefore, no new matter is introduced by this amendment.

Claim 2 is amended to recite that the nonaqueous electrolyte comprises at least one of the recited organic solvents. As such, the allegedly indefinite term "mixture" is no longer recited in the claim. Support for this amendment may be found, e.g., on page 4, para. 27, of the specification. Therefore, no new matter is introduced by this amendment.

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Claim 3 is amended herein to correct the inadvertent error in the formula of LiClO_4 . Support for this amendment may be found, *e.g.*, on page 5, para. 29, of the specification. Therefore, no new matter is introduced by this amendment.

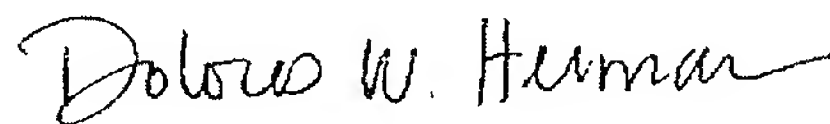
Claim 3 is also amended herein to change the compound name " LiPFZ_6 " to " LiPF_6 ." This amendment corrects an inadvertent error in Claim 3 and is fully supported by the specification as originally filed. See, *e.g.*, page 5, para. 29. As such, no new matter is introduced by this amendment.

Applicants believe all of the rejections under 35 U.S.C. 112, second paragraph, are now overcome, and thus, Applicants respectfully request that the rejections be withdrawn.

CONCLUSION

The concerns of the Examiner having been addressed in full, Applicants respectfully request withdrawal of the outstanding rejections and the issuance of a Notice of Allowance. The Examiner is encouraged to direct any questions regarding the foregoing to the undersigned, who may be reached at (919) 854-1400.

Respectfully submitted,



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CERTIFICATION OF TRANSMISSION

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